

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

MADELINE COLON MULERO, et. al.,
Plaintiffs

vs.

MITSUBISHI MOTORS CORP., et. al.,
Defendants

CIVIL NO. 98-2090(JP)

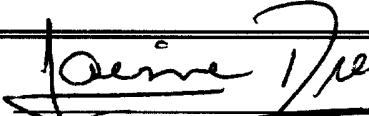
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Date Filed: November 28, 2000; December 5, 2000 Docket: # 71, 73 <input checked="" type="checkbox"/> Plffs <input checked="" type="checkbox"/> Defts Title: Motion for Sanctions; Opposition to Motion for Sanctions	DENIED. Plaintiffs move for sanctions against Co-defendant Mitsubishi Motors Corp. ("MMC") for MMC's alleged failure to produce all Complaints filed against it for the last five years involving injuries caused by the deployment of passenger side air bags. Plaintiffs note that during the deposition of MMC's expert, James Benedict, they learned that Benedict had testified in a case involving a passenger side air bag deployment on a Mitsubishi vehicle, but the Complaint from that case had not been produced to Plaintiffs. Nonetheless, MMC has submitted a sworn statement from the Vice President and General Counsel of MMC, stating that the Mitsubishi vehicle at issue in the case in which Benedict testified involved a vehicle manufactured by a different corporate entity, Mitsubishi Motor Manufacturing of America, Inc. ("MMMA"). MMMA was originally named as a Co-defendant in the instant action, but later dismissed by Plaintiffs. The interrogatories and request for production of documents sought Complaints only from MMC. Further, in view that the 1995 Mitsubishi Expo at issue in this case was neither designed, manufactured, assembled, distributed, nor sold by MMMA, Plaintiffs moved for the voluntarily dismissed against that Co-defendant on August 2, 1999, which was granted by the Court on August 10, 1999. In any event, MMC attached to its Opposition the three Complaints filed against MMMA involving injuries caused by the deployment of passenger side air bags. Because MMC did not have an obligation to produce the Complaints filed against MMMA, and because the contemporaneous production of these Complaints counteracts any alleged prejudice on behalf of Plaintiffs, Plaintiffs' motion for sanctions is hereby DENIED.

Date: 1/19/01


JAYME PIERAS, JR.
 U.S. Senior District Judge

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